



**REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION
MIDDLETOWN CONNECTICUT
JULY 22, 2020**

The Regular Meeting of the Planning and Zoning Commission of the City of Middletown was held remotely via WebEx

1. Roll Taking

Present: Commissioner Stephen Devoto
Commissioner Richard Pelletier
Commissioner Thom Pattavina
Commissioner Catherine Johnson
Commissioner Kellin Atherton (seated for vacancy)
Commissioner Shanay Fulton (seated for Commissioner Nicholas Fazzino)
Commissioner James O'Connell (seated for Marcus Fazzino)

Absent: Commissioner Nicholas Fazzino
Commissioner Marcus Fazzino

Staff: Marek Kozikowski, AICP, City Planner

2. Items removed from the agenda and why

None

3. Public comment on items on agenda which are not currently scheduled for a public hearing

Chairman Devoto said that they should open 7.1 RiverCog Presentation to the public even though it is not a public hearing.

4. ZEO Certification that all public hearing signs have been properly noticed (when scheduled)

No public hearings were scheduled

5. Public Hearings (when scheduled)

None

6. Old Business

None

7. New Business

- 1. Presentation by the Lower Connecticut River Valley Council of Governments concerning the Regional Plan of Conservation and Development and ensuing discussion.**

Chairman Devoto said that Sam Gold, Director of RiverCog will be joining later and suggested that they continue with the G.S. 8-24s first and then the presentation from RiverCog.

Commissioner O'Connell motions to move this presentation to later on the agenda. Commissioner Pattavina seconds the motion. All in favor.

- 2. Request for an affirmative G.S. 8-24 Review to abandon roadway at 1675 Saybrook Road. Applicant/agent City of Middletown/PW Dept. G.S. 8-24 2020-7**

Marek gave a brief overview of the application. This roadway bisects the Crele Construction Property and one of the buildings encroaches on the right-of-way. This property has a long history of wetlands and zoning violations since at least 2015. The Zoning Review made a determination that the right-of-way that cuts through the property. In 1932 the State of CT deeded a strip of land to the City of Middletown which was forgotten about. During the investigation it was found and the City of Middletown has no interest making improvements with the right-of-way or retaining it. The best option was to abandon the roadway and deeding to the abutting property owners.

Rob Treloar of 1762 Saybrook Road wished to speak. Chairman Devoto said it wasn't a public hearing and asked the Commission if they wanted to waive Roberts Rules to let the public speak. Commissioner O'Connell made the motion to let him speak. Commissioner Fulton seconds the motion. All in favor.

Mr. Treloar lives across the street from this property and said that there have been things that happened in-between like when they had the court hearing they tried to sue the City. He witnessed them tearing down a building most likely without a permit. He asked the Council and the Building Dept. and never received a response. He is also questioning the surveyor that made the maps. He does not think he is a civil engineer. He said according to the laws you need to have a surveyor/engineer create the actual plan. He also said that they violations have been going on since the 80's.

Marek said as far as the building being torn down, that is not what tonight's meeting is about and he can come into the office to discuss it. As far as the surveyed plan.....it was plan submitted from Public Works. He also commented on other comments from Mr. Treloar. Commissioner Johnson said that she thinks that the right of way should be traded with an equal amount of land along Route 154. If the City ever wants to put in a regional bikeway, we could use the land. She said that this

should not be approved tonight. Commissioner O'Connell stated that there are some concerns here and if the City could benefit from transfer of assets then that would be something to consider.

Commissioner Johnson made a motion to table until the next meeting. Commissioner James O'Connell seconds the motion. The chair calls for the vote. It is 6 aye votes by Commissioner Stephen Devoto, Commissioner Thom Pattavina, Commissioner Catherine Johnson, Commissioner Kellin Atherton, Commissioner Shanay Fulton, Commissioner James O'Connell and 1 nay vote by Commissioner Richard Pelletier. The Chair states the matter carried with 6 affirmative votes

3. Request for an affirmative G.S. 8-24 Review for a 5 year lease agreement with option for another 5 years between the City of Middletown and Stubborn Beauty for 6,600 sq.ft. at 180 Johnson Street. Applicant/agent City of Middletown/PCD Dept. G.S. 8-24 2020-8

Marek explained that there is an existing tenant that is looking to expand their space into existing vacant space at the Remington Rand building. Their lease is about to expire and they are looking for a new 5 year lease.

Commissioner James O'Connell moves to grant an affirmative G.S. 8-24 Review for a 5 year lease agreement with option for another 5 years between the City of Middletown and Stubborn Beauty for 6,600 sq.ft. at 180 Johnson Street. Commissioner Catherine Johnson seconds the motion. The chair calls for the vote. It is unanimous to approve with 7 aye votes. The chair states the matter passes unanimously with 7 affirmative votes.

4. Request for an affirmative G.S.8-24 Review for the purchase of 32.51 acres of property at 1760 South Main Street, Long Hill Road and Brush Hill Road for open space. Applicant/agent City of Middletown/PCD Dept. G.S. 8-24 2020-9

Marek gave a brief description of the lots to be purchased as open space.

Commissioner James O'Connell moves for an affirmative G.S.8-24 Review for the purchase of 32.51 acres of property at 1760 South Main Street, Long Hill Road and Brush Hill Road for open space. Commissioner Thom Pattavina seconds the motion. The chair calls for the vote. It is unanimous to approve with 7 aye votes. The chair states the matter passes unanimously with 7 affirmative votes.

5. Schedule a public hearing for readoption of the Middletown Official Zoning Map. Applicant/agent City of Middletown/PCD Dept. Z2020-6

Marek said that the zoning map on the GIS system is wildly inaccurate and needs to be updated. Commissioner O'Connell thinks that if there are any inaccuracies in an official document, it should be corrected. He asked Marek if he created a document of the changes that he made to compare what it was before the changes. Commissioner Devoto asked about the need for a public hearing. If there is no change in zoning any parcels, why are they holding a public hearing?

Commissioner James O'Connell moves to schedule a public hearing for August 12th for re-adoption of the Middletown Official Zoning Map. Commissioner Catherine Johnson seconds the motion. The chair calls for the vote. It is unanimous to schedule a public hearing with 7 aye votes. The chair states the matter passes unanimously with 7 affirmative votes.

1. Presentation by the Lower Connecticut River Valley Council of Governments concerning the Regional Plan of Conservation and Development and ensuing discussion.

Commissioner O'Connell motions for a 5 minute recess. There was no second to the motion. Motion failed.

A presentation was given by Maegan Dupless. A question and answer discussion followed regarding the upcoming Regional Plan of Conservation and Development.

8. Public comment on topics which are not or have not been the subject of a public hearing

9. Minutes of the Regular Meeting, Transcripts, Staff Reports and Commission Affairs

1. Minutes of the July 8, 2020 workshop

Commissioner James O'Connell moves for approval for the minutes of the July 8, 2020 workshop. Commissioner Thom Pattavina seconds the motion. The chair calls for the vote. It is unanimous to approve with 7 aye votes. The chair states the matter passes unanimously with 7 affirmative votes.

2. Minutes of the July 8, 2020 regular meeting

Commissioner James O'Connell moves for approval for the minutes of the July 8, 2020 meeting. Commissioner Shanay Fulton seconds the motion. The chair calls for the vote. It is unanimous to approve with 7 aye votes. The chair states the matter passes unanimously with 7 affirmative votes.

3. River-Cog Report

None

4. Staff Reports

Marek updated the Commission on the re-opening of the town hall. Commissioner O'Connell asked Marek his feelings on Main Street restaurants as far as reopening in general both interior and exterior to the public. Marek said he hasn't heard much but when he walks down Main Street he notices some restaurants are open both interior and exterior to the public. The City issued only a handful of permits for outdoor dining.

5. Commission Affairs

None

10. Adjournment

Commissioner Thom Pattavina moves for adjournment at 7:05 PM. Commissioner James O'Connell seconds the motion. The chair calls for the vote. It is unanimous to adjourn with 7 aye votes. .

Respectfully submitted,

Marek Kozikowski, AICP
City Planner